

THURSDAY, FEBRUARY 17, 2000

FIFTY-FIFTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McDonald.

Representative McDonald led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Black; family illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 470:** Rep(s). Cooper as prime sponsor(s).

**House Joint Resolution No. 475:** Rep(s). Cooper as prime sponsor(s).

**House Bill No. 1334:** Rep(s). Naifeh, Mumpower, Cole (Carter), West, Kisber, Kent, Boyer, Sands, Fitzhugh, Maddox, Godsey, Sands, Montgomery, White, Todd, Stulce, Hood, McDaniel, Turner (Hamilton), Walker and McAfee as prime sponsor(s).

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**House Bill No. 2125:** Rep(s). Hood and Bone as prime sponsor(s).

**MESSAGE FROM THE SENATE  
February 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 450, 451, 452, 453, 454, 456, 457, 458, 459 and 460; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE  
February 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 462; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE  
February 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 468; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE  
February 17, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 595, 597, 600 and 601; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 595** -- Memorials, Professional Achievement - Rebecca Lelfert, District Teacher of the Year 2000. by \*Haun.

**Senate Joint Resolution No. 597** -- Memorials, Death - Dr. George Vernon Irons, Sr. by \*Cooper.

**Senate Joint Resolution No. 600** -- Memorials, Public Service - Norell Services of Johnson City. by \*Crowe.

**Senate Joint Resolution No. 601** -- Memorials, Personal Occasion - Bertha Walker Menees, 100th birthday. by \*Haynes.

**MESSAGE FROM THE GOVERNOR**  
**February 17, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2201, with his approval.

MICHELLE LONG, Counsel to the Governor.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 23, 2000:

**House Joint Resolution No. 476** -- Memorials, Professional Achievement - Brenda Moss, Florist of the Year. by \*Beavers, \*Bone.

**House Joint Resolution No. 477** -- Memorials, Public Service - Liza St. John, recipient of Distinguished Finalist medallion, Prudential Spirit of Community Award. by \*Lewis.

**SENATE JOINT RESOLUTIONS**  
**(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 23, 2000:

**Senate Joint Resolution No. 595** -- Memorials, Professional Achievement - Rebecca Leifert, District Teacher of the Year 2000. by \*Haun.

**Senate Joint Resolution No. 597** -- Memorials, Death - Dr. George Vernon Irons, Sr. by \*Cooper.

**Senate Joint Resolution No. 600** -- Memorials, Public Service - Norell Services of Johnson City. by \*Crowe.

**Senate Joint Resolution No. 601** -- Memorials, Personal Occasion - Bertha Walker Menees, 100th birthday. by \*Haynes.

### RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 549** -- General Assembly, Confirmation of Appointment - A.C. Wharton, Jr., Tennessee Higher Education Commission. by \*Ford J, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

House Education Committee

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 3281** -- Cocke County - Subject to local approval, authorizes county to establish recreation department and recreational activity fund. by \*Davis (Cocke).

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 2180** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Memphis Zoo new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to Memphis Zoological Society for acquisition of giant pandas. Amends TCA Title 55, Chapter 4. by \*Cohen, \*Kyle, \*Dixon. (HB2200 by \*Chumney, \*Turner (Shelby), \*Pruitt, \*Miller L, \*Brooks, \*Kernell)

**\*Senate Bill No. 2181** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Memphis Redbirds baseball club new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to such club for community outreach programs in Memphis and Shelby County Amends TCA Title 55, Chapter 4. by \*Cohen, \*Kyle, \*Dixon. (HB2190 by \*Hassell)

**\*Senate Bill No. 2183** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked license plates for Eagle Foundation; allocates 50 percent of funds produced from sale thereof to such foundation to preserve American bald eagle Amends TCA Title 55, Chapter 4. by \*Clabough, \*Dixon. (HB2191 by \*Montgomery, \*Mumpower, \*Godsey, \*Buttry, \*Baird)

**\*Senate Bill No. 2247** -- Judgments - Extends three-year period in which creditor must file execution of judgment action to handle bankruptcy or other slow pay situations. Amends TCA Title 25, Chapter 5, Part 1. by \*Fowler, \*Kurita. (HB2252 by \*Bunch)



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**\*Senate Bill No. 2269** -- Game and Fish Laws - Removes licensure requirements for commercial musseler helpers. Amends TCA Section 70-2-205. by \*Springer. (HB2218 by \*Tidwell)

**Senate Bill No. 2338** -- Traffic Safety - Creates Class C misdemeanor offense of disrupting funeral procession. Amends TCA Section 55-8-183. by \*Ford J. (\*HB2103 by \*Brooks)

**\*Senate Bill No. 2339** -- Banks and Financial Institutions - Removes authorization for bank to pay amounts of less than \$10,000 from safe deposit box to conform to 1998 revisions concerning access to contents of safe deposit boxes. Amends TCA Section 45-2-708. by \*Womack. (HB2538 by \*White, \*Patton)

**\*Senate Bill No. 2377** -- Motor Vehicles, Titling and Registration - Authorizes issuance of license plates for PGA Junior Golf Amends TCA Title 55, Chapter 4. by \*Blackburn, \*Person, \*Dixon. (HB2357 by \*Sargent, \*Williams (Williamson), \*Westmoreland, \*Roach, \*Davis (Cocke), \*Whitson)

**\*Senate Bill No. 2609** -- Appropriations - Allows Tennessee Intercollegiate State Legislature Foundation to carry over from year-to-year, without reversion to general fund, any unexpended appropriation. Amends TCA Section 49-3-2002. by \*Springer. (HB2527 by \*Hargett)

**\*Senate Bill No. 2617** -- Sunset Laws - Civil defense and disaster compact, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 58, Chapter 2. by \*Springer. (HB2415 by \*Kernell, \*Garrett, \*Brooks)

**\*Senate Bill No. 2637** -- Boats, Boating - Requires watercraft being used to tow persons on water skis or other water sports devices to have person, at least 12 years of age, on board to constantly observe person being towed if such watercraft not equipped with rearview mirrors meeting specifications approved by wildlife resources commission. Amends TCA Section 69-10-507. by \*Burchett. (HB2545 by \*Ferguson)

**\*Senate Bill No. 2744** -- Business Organizations - Reduces from two to one number of persons required to form professional limited liability company. Amends TCA Title 48, Chapter 248, Part 1. by \*Rochelle. (HB3056 by \*Hargrove)

**\*Senate Bill No. 2794** -- Children - Broadens child bicycle helmet requirements to include any highway, street or sidewalk; Amends TCA Title 55, Chapter 52. by \*Herron, \*Kurita. (HB3194 by \*Sands)

**Senate Bill No. 2951** -- Statutes - Codifies public acts of 1999. by \*Wilder, \*Kyle. (\*HB2768 by \*Hargrove)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 3278** -- Campbell County -- Local Bill Held on House Desk

**House Bill No. 3279** -- Washington County -- Local Bill Held on House Desk

**House Bill No. 3280** -- Alcoa -- Local Bill Held on House Desk

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 17, 2000**, reported the following:

**COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **February 23, 2000**: House Bill(s) No(s). 2615, 2534, 2145 and 2316.

The Committee also met and set the following bill(s) on the **Regular Calendar** for **March 2, 2000**: House Bill(s) No(s). 2687.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **February 23, 2000**: House Bill(s) No(s). 2487, 2068, 2069, 2066, 2422, 782 and House Joint Resolution(s) No(s). 398.

**CONSENT CALENDAR**

**House Resolution No. 136** -- Memorials, Public Service - Tom Brown, 1999 Collierville Person of the Year. by \*Scroggs, \*Todd.

**House Resolution No. 137** -- Memorials, Recognition - Charlotte Ruppelt. by \*Cooper B.

**House Joint Resolution No. 470** -- Memorials, Public Service - Alzheimer's Association "An Evening to Remember.". by \*Brooks.

**House Joint Resolution No. 473** -- Memorials, Death - George Montague Erwin. by \*Scroggs, \*Kent, \*Hassell.

**House Joint Resolution No. 474** -- Memorials, Death - Kathleen V. Ottinger, Greeneville. by \*Davis (Cocke), \*Whitson.

**House Joint Resolution No. 475** -- Memorials, Public Service - Dr. N. Gerry House. by \*Bowers, \*DeBerry L, \*Armstrong, \*Brooks, \*Churnney, \*Hargett, \*Todd, \*Turner (Shelby), \*DeBerry J, \*Miller L.

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**Senate Joint Resolution No. 582** -- Memorials, Retirement - Dr. Bill Scott Portis. by \*Herron.

**Senate Joint Resolution No. 583** -- Memorials, Death - Dr. L.C. Waddle. by \*Herron.

**Senate Joint Resolution No. 584** -- Memorials, Death - William L. "Billy" Bone. by \*Graves, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Eisea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 585** -- Memorials, Death - Guy Hollis. by \*Kurita.

**Senate Joint Resolution No. 586** -- Memorials, Sports - Clarksville High School wrestling team, TSSAA 2000 Division 1 Dual Tournament state champions. by \*Kurita.

**Senate Joint Resolution No. 587** -- Memorials, Public Service - Gary L. Scott, Boy Scouts of America "Citizen of the Year". by \*Kurita, \*Springer, \*Herron.

**Senate Joint Resolution No. 588** -- Memorials, Academic Achievement - Jean Marie Peachner, Salutatorian, Stewart County High School. by \*Kurita.

**Senate Joint Resolution No. 589** -- Memorials, Personal Occasion - Mr. and Mrs. James E. Williams, 50th Wedding Anniversary. by \*Rochelle, \*Davis L.

**Senate Joint Resolution No. 590** -- Memorials, Death - Ervin Smith. by \*Rochelle.

**Senate Joint Resolution No. 591** -- Memorials, Death - Howard (Doodle) Gwaltney. by \*Rochelle.

**Senate Joint Resolution No. 592** -- Memorials, Death - Reggie L. Honey. by \*Rochelle.

**Senate Joint Resolution No. 593** -- Memorials, Death - Robert Evans, Jr. by \*Rochelle.

**Senate Joint Resolution No. 594** -- Memorials, Public Service - Johnson City Elks, #825. by \*Crowe.

**Senate Joint Resolution No. 613** -- Memorials, Heroism - Lester Goforth. by \*Davis L.

**Senate Joint Resolution No. 614** -- Memorials, Death - Steve Lacy. by \*Crowe, \*Crutchfield.

**Senate Joint Resolution No. 615** -- Memorials, Recognition - Luciano Pavarotti. by \*Blackburn.

**House Bill No. 2214** -- Bradley County - Subject to local approval, repeals prohibition on out-of-county residents from disposing of trash or garbage in landfill or other receptacles owned or provided by county. - Repeals Chapter 144 of Private Acts of 1988. by \*Newton, \*Bunch. (SB2227 by \*Miller J)

On motion, House Bill No. 2214 was made to conform with **Senate Bill No. 2227**; the Senate Bill was substituted for the House Bill.

Rep. Brooks moved that all members of the Shelby County delegation voting aye on House Joint Resolution No. 470 be added as sponsors, which motion prevailed.

Rep. Bowers moved that all members voting aye on House Joint Resolution No. 475 be added as sponsors, which motion prevailed.

### OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

**Senate Joint Resolution No. 615:** by Rep. Head

Senate Joint Resolution No. 615 was held on the desk pending referral or other action.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	98
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**House Bill No. 1334** -- Victims' Rights - Provides that defendant may not claim prejudice or assign error based on failure of court or other state official to give victim rights; provides that failure to give victim rights does not create cause of civil action but gives victim standing to enforce rights through injunctive action or writs of mandamus; provides prosecutor may assert a victim's rights on victim's behalf. Amends TCA Title 40, Chapter 38, Part 1. by \*Buck, \*Hargrove. (\*SB1247 by \*Herron, \*Burks)

On motion, House Bill No. 1334 was made to conform with **Senate Bill No. 1247**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 1247 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1247 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 38, is amended by adding the following as a new part 3:

**§ 40-38-301.**

(a) It is the intent of the general assembly by enactment of this act to implement and make fully operational the provisions of Article I, Section 35 of the Constitution of Tennessee, relative to the rights of victims of crime. The proposed amendment that became Article I, Section 35 was ratified by the voters of Tennessee at the November 3, 1998 general election but there was some question as to whether it required the general assembly to define certain terms before the amendment could be implemented and in full force and effect.

(b) It is the further intent of the general assembly that this part only govern the implementation of Article I, Section 35. If any other provision of law confers additional, enhanced or more expansive rights upon victims of crime than are set out in this part or Article I, Section 35, a victim shall also be entitled to such additional, enhanced or expansive statutory rights.

(c) If any other provision of law contains a broader definition of "crime," "victim" or "critical stages of the criminal justice process" for any purpose other than implementation of Article I, Section 35, the broader definition shall control for such purpose.

§ 40-38-302. As used in this part:

(a) "Crime" means:

- (1) Any offense the punishment for which is a Class A, B, C, D or E felony;
- (2) First degree murder; or
- (3) Assault under § 39-13-101(a)(1).

(b) "Critical stages of the criminal justice process" are:

- (1) Bond hearings or bond reduction hearings if hearing from the victim is deemed relevant by the appropriate district attorney general;
- (2) The defendant's sentencing hearing;
- (3) Any hearing at which the issue of whether the defendant should pay restitution or the amount of restitution that should be paid is discussed; and
- (4) Any parole hearing at which the defendant's release on parole will be discussed or determined.

(c) "Family member" means the victim's spouse, natural parent, adult child, adopted adult child, grandparent, grandchild, stepparent, stepchild, adoptive parent, or brother or sister of the whole or half-blood or by adoption.

(d) "Victim" means:

- (1) A natural person against whom a crime was committed;
- (2) If the victim is a minor, then the parent or legal guardian of the minor; or
- (3) If the victim is deceased or is physically or emotionally unable to exercise his or her rights, then the following persons, or their designees, in the order of preference in which they are listed:
  - (A) A family member; or
  - (B) A person who resided with the victim.

(e) "Victim" does not include any person charged with or alleged to have committed the crime or who is charged with some form of criminal responsibility for commission of the crime.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it and on such date the provisions of Article I, Section 35 of the Constitution of Tennessee are implemented, operational and in full force and effect.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Sands moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1247 by deleting subsection (c) of Section 40-38-302 of the amendatory language of SECTION 1 as amended by House Judiciary Committee Amendment #1 and substituting instead the following:

(c) "Family member" means the victim's spouse, natural parent, child, adopted child, grandparent, grandchild, stepparent, adoptive parent, or brother or sister of the whole or half-blood or by adoption. If a "family member" is a minor, such minor may be represented by a guardian where appropriate.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that **Senate Bill No. 1247**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Bill No. 2125** -- Cooperatives - Requires certain telephone cooperatives to conduct election using voting machines to determine whether cooperative should voluntarily dissolve under supervision of election commission, at a meeting held on a Saturday and only after meeting has been advertised in newspaper three weeks prior to meeting. Amends TCA Title 65, Chapter 29. by \*Buck, \*Cooper B. (SB2583 by \*Burks)

Rep. Buck moved that House Bill No. 2125 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2125 by inserting the following between the first and second sentences of subsection (B) of the amendatory language of SECTION 1:

The voting machines for any such election shall remain open for nine (9) full hours from 8:00 A.M. until 5:00 P.M..

FURTHER AMEND by adding the following to the end of subsection (B) of the amendatory language of SECTION 1:

The results of any such election shall be announced as immediately as possible after the voting machines close at 5:00 P.M..

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Buck moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2125 By placing a period after the word "Saturday" in the next to last sentence of the amendatory language of Section 1, as amended, and by deleting the remainder of the language in such sentence and substituting instead the following language:

For any such election to be held on or after September 1, 2000, notice of such meeting shall be published once a week for two (2) successive weeks in a newspaper of general circulation in each county served by the cooperative at least three (3) weeks prior to the meeting at which the election will be conducted.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that **House Bill No. 2125**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98  
Noes ..... 0



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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

### UNFINISHED BUSINESS

#### BILLS WITHDRAWN

On motion of Rep. Ferguson, **House Bill No. 2018** was recalled from the Commerce Committee and withdrawn from the House.

### ANNOUNCEMENTS

#### BILL RE-REFERRED

Without objection, Rep. Kernell re-referred House Bill No. 357 from the Committee on Calendar and Rules to the Government Operations Committee.

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 2117:** Rep(s). Windle as prime sponsor(s).

**House Bill No. 2217:** Rep(s). Fowlkes as prime sponsor(s).

**House Bill No. 2687:** Rep(s). Walker as prime sponsor(s).

**House Bill No. 2981:** Rep(s). Patton and Ford as prime sponsor(s).

**House Bill No. 3194:** Rep(s). Caldwell as prime sponsor(s).

**ENROLLED BILLS**

**February 17, 2000**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2625, 2628, 2675; House Joint Resolution(s) No(s). 449, 450, 451, 452, 453, 454, 456, 457, 458, 459, 460, 462, 468, 472; also, House Resolution(s) No(s). 133, 134, 135, 136 and 137.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**February 17, 2000**

The Speaker signed the following: House Bill(s) No(s). 2625, 2628, 2675; House Joint Resolution(s) No(s). 449, 450, 451, 452, 453, 454, 456, 457, 458, 459, 460, 462, 468, 472; also, House Resolution(s) No(s). 133, 134, 135, 136 and 137.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**February 17, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2625, 2628, 2675; also, House Joint Resolution(s) No(s). 449, 450, 451, 452, 453, 454, 456, 457, 458, 459, 460, 462, 468, 472; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**February 17, 2000**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2625, 2628, 2675; also, House Joint Resolution(s) No(s). 449, 450, 451, 452, 453, 454, 456, 457, 458, 459, 460, 462, 468, 472.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**February 17, 2000**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2125, also, House Joint Resolution(s) No(s) 470, 473, 474 and 475.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**February 17, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2227; also, Senate Joint Resolution(s) No(s). 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 613 and 614 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**  
**February 17, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 2227; also, Senate Joint Resolution(s) No(s). 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 613 and 614.

**MESSAGE FROM THE SENATE**  
**February 17, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2210, 2252, 2629, 2631, 2633 and 2669; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 2210** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked license plates for Tennessee state guard; allocates 50 percent of funds produced from sale thereof to Tennessee state guard Amends TCA Title 55, Chapter 4. by \*Crowe, \*Dixon, \*Williams, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Womack. (HB2202 by \*Patton, \*Windle, \*McDonald, \*Bone, \*Ford S, \*Curtiss)

**\*Senate Bill No. 2252** -- Cooperatives - Modifies certain provisions pertaining to electric cooperatives owning, operating or acquiring cable television system. Amends TCA Section 65-25-204 and Section 65-25-205. by \*Rochelle. (HB2889 by \*Rinks)

**\*Senate Bill No. 2629** -- Bond Issues - Allows longer term renewals on state revenue anticipation notes. Amends TCA Title 9, Chapter 9. by \*Henry, \*Dixon. (HB2819 by \*Kisber)

**\*Senate Bill No. 2631** -- County Officers - Repeals additional compensation for county executives serving as county financial officer. - Repeals TCA Section 5-6-113. by \*Henry. (HB2823 by \*Kisber)

**\*Senate Bill No. 2633** -- Comptroller, State - Directs comptroller to preserve and maintain assessment records for period of not less than seven years; makes technical changes to language referring to interstate commerce commission (ICC) and substitutes "federal highway administration" for ICC where used. Amends TCA Section 67-5-1301; Section 67-5-1326; Section 67-5-1328 and Section 67-5-501. by \*Henry. (HB2798 by \*White)

**\*Senate Bill No. 2669** -- Victims' Rights - Specifies that all claims for compensation filed under Criminal Injuries Compensation Act are to be heard on claim commission's small claims docket, regardless of amount of claim, unless claim removed to regular docket at discretion of either party before hearing. Amends TCA 40-24-107, Section 67-4-606; Title 29, Chapter 13, Parts 1 and 3, and Title 9, Chapter 8. by \*Kyle, \*Burks. (HB2613 by \*Hargrove)

### CONSENT CALENDAR

February 17, 2000

The following local bills have been placed on the Consent Calendar for **February 23, 2000**: House Bill No. 2904, 2909, 3275, 3276, 3278, 3279 and 3280.

### ROLL CALL

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

### RECESS MOTION

On motion of Rep. Hargrove and pursuant to House Joint Resolution No 472, the House stood in recess until 2:00 p.m., Wednesday, February 23, 2000.